



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3501 FAX (603) 271-6683



LETTER OF DEFICIENCY

No. WD SS 05-04

March 23, 2005

Mr. Robert Byrd, Trustee
Michelle Byrd Trust
Twin Rentals, LLC
59 Town Farm Road
Salem, NH 03079

RE: Failure to Provide Proper Sewage Treatment Facilities

Dear Mr. Byrd:

On March 22, 2005, personnel from the Department of Environmental Services, Water Division ("DES") and the Carroll County police department conducted an inspection of the Twin Mountain rental property, described as Lot # 34, on Tax Map # 207, and located on Route 3 Carroll (also known as Twin Mountain) NH, 03595 ("the Property"). The purpose of this inspection was to determine whether you were in compliance with RSA 485-A and its implementing regulations, the Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000 ("the Rules").

As a result of the inspection, the following deficiency was noted:

1. The approved septic system, CA2002043610 has not been installed, and raw sewage was being pumped onto the ground at the Property.

DES expects the above deficiency to be permanently corrected within 30 days by initiating and completing the following measures:

1. Construct and obtain approval to cover and use the system according to the approved plan.
2. Operate and maintain the system in accordance with NH Administrative Rule Env-Ws 1023.

During interim between receipt of this letter and the date by which permanent corrections have been completed, as an alternate to vacating the premises, DES expects that collected sewage will be pumped and disposed in accordance with NH Administrative Rule Env-Ws

1600 at sufficient frequent intervals to prevent further overflow. If this alternative is utilized, it is advised that pumping receipts be retained.

DES believes the cited deficiencies will be corrected within 30 days and a report describing the corrective measures can be submitted to this office within 30 days of receipt of this letter.

In the event compliance is not achieved within this period, DES may take further action against you, including issuing an order requiring the above items to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. In addition, DES personnel will reinspect the Property at a later date to determine whether you have come into, and are maintaining, full compliance with all applicable statutes and directives.

The written report as requested above should be addressed as follows:

Richard J. de Seve, SSB, DES
Department of Environmental Services
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Your prompt cooperation is appreciated. Should you have any questions regarding this letter, please contact Richard J. de Seve at 271-3442.

Sincerely,



William E. Evans, P.E.
Administrator
Subsurface Systems Bureau

WEE/RJD

CERTIFIED MAIL 7099 3400 0002 9772 8366

Cc: James G. Falicon, SSB, DES

Gretchen C. Hamel, Enforcement Coordinator, DES ✓

Board of Selectmen, Town of Carroll

Richard J. de Seve, SSB, DES